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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,072	02/20/2002	Hajime Kimura	SEL 305	6987

7590 04/20/2005

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EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/079,072	Applicant(s) KIMURA, HAJIME	
	Examiner HENRY N TRAN	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,4,7-22,24,25 and 27-54 is/are allowed.
- 6) ☒ Claim(s) 1,3,6 and 26 is/are rejected.
- 7) ☒ Claim(s) 5 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/3/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to the applicant's amendment received 12/3/04. The amendments to the claims have been entered. Claims 1-54 remain pending in this application. Applicant's remarks have been fully considered. The indicated allowability of claims 3, 23 and 26 is withdrawn in view of the newly discovered reference to Ting (U.S. Patent No. 6,486,606). Rejections based on the newly cited reference follow.

Information Disclosure Statement

1. The examiner has considered the documents listed in form PTO-1449 submitted with the Information Disclosure Statement (IDS) received 12/3/04 (see the attached form PTO-1449).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 6 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ting (U.S. Patent No. 6,486,606).

Re claim 1, Ting teaches a light emitting device including an organic light emitting diode (OLED) D; a power data line, DATA-LINE (which reads on the "power source line"); a discharge line, DISCHARGE-LINE; a first TFT, T1; and a second TFT, T2; wherein, an anode of the OLED D is connected with the data line through the first TFT T1; the anode is connected

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with the discharge line through the second TFT T2; and when one of the first TFT and the second TFT is in an on state, the other is in an off state; see Fig. 2, col. 2, line 46 to col. 3, line 18.

Re claim 3, which comprises the same claimed elements with claim 1; in which the claim feature “a pixel electrode” is corresponding to the claim feature “a anode” recited in claim 1; and claim 3 is therefore rejected on the same reasons for claim 1 discussed above.

Re claims 6 and 26, Ting further discloses that the TFT-EL display device is utilized in different electronic products, e.g., lap top computers and pocket-TVs are old and well-known in the art, see col. 1, lines 16-45. Claims 6 and 26 are therefore rejected based on the same reasons discussed in claims 1 and 3, and by the reasons noted above.

Allowable Subject Matter

4. Claims 2, 4, 7-22, 24, 25, and 27-54 are allowed.
5. Claims 5 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's amendment to claim 25 has overcome the objection discussed for that claim in paragraph 3 in the prior Office action.
7. Applicant's arguments, see pages 19 and 20 of the above-identified Amendment, with respect to the rejections of: claims 1, 2, 5, 6, 22 and 25 under 35 USC § 112, first paragraph; claims 19 and 28-32 under 35 USC § 112, second paragraph; and claim 1, 5 and 6 under 35 USC § 102(a) have been fully considered and are persuasive due to the amendments to the claims.

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Therefore, the claims have overcome the rejections. However, upon further consideration, a new ground(s) of rejection is made for claims 1, 3, 6 and 26 in view of Ting (U.S. Patent No. 6,486,606) as discussed above.

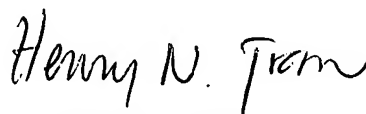
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N TRAN whose telephone number is 571-272-7760.

The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK N EDOUARD can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HENRY N TRAN
Primary Examiner
Art Unit 2674

4/16/05